IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.183 OF 2007
IN
CRIMINAL WRIT PETITION NO.291 OF 2007

Khalid Abdul Razak Kazi .. Applicant.
Vs.
The State of Maharashtra & Ors. .. Respondents.

Ms.M.Z.Ansari for the applicant.
Mrs.S.D.Shinde APP for the respondent.

CORAM : SMT.RANJANA DESAI &
D.B.BHOSALE, JJ.
DATED : 25TH JUNE, 2007.

P.C.:

. This application is filed to direct the Prison Authority Western Region, Pune to refund the deposit amount of Rs.10,000/- to the applicant.

2. We have heard learned counsel for the applicant and learned A.P.P. for the State. The applicant was released on furlough leave. He was to surrender on 15.2.2007. However, he surrendered on 21.2.2007. While availing of the furlough leave the applicant had executed a bond giving cash security of Rs.10,000/-. As per this bond he had bound himself to abide by the condition mentioned in appended schedule and further agreed to appear and surrender himself to the jail authorities on 16.2.207 at 10.30 a.m. The bond further states that in case of making

default the applicant binds himself to forfeit to the Government the sum of Rs.10,000/-. Admittedly, the applicant has not surrendered to the Prison Authorities though he had filed Criminal Writ Petition no.291 of 2007 in this court. This court had never passed any order granting extension of furlough leave. In the circumstances in view of bond executed by the applicant, action initiated by the Government of forfeiting Rs.10,000/- cannot be faulted. No case for interference is made out. The application is rejected.

(SMT.RANJANA DESAI, J.)

(D.B.BHOSALE, J.)